

*IPW*

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
LVIP:112US

In Re Application No.: Michael Zimmermann et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/709,871	06/02/2004	N/A	24041	3724	3870

Title: CUTTING APPARATUS AND METHOD FOR PRESETTING A CUTTING APPARATUS

Address to:  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

OR

the fee set forth in 37 CFR 1.17(p).

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- A check in the amount of \_\_\_\_\_ is attached.
- The Director is hereby authorized to charge and credit Deposit Account No. 50-0822 as described below.
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October 29, 2004

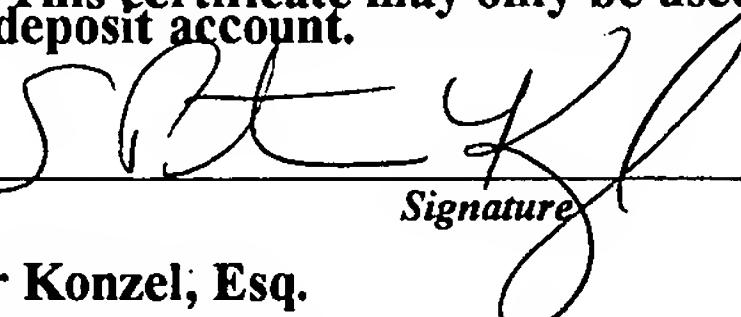
(Date)

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S. Peter Konzel, Esq.

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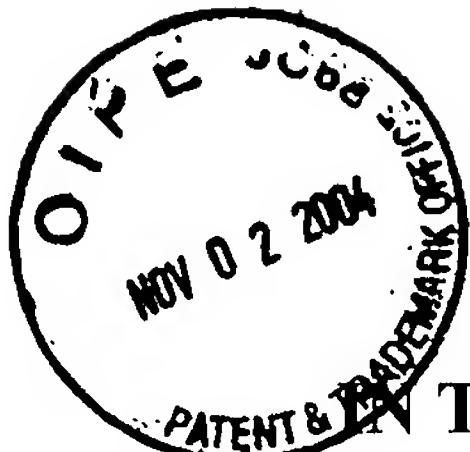
\*This certificate may only be used if paying by deposit account.

  
Signature

Dated: October 29, 2004

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5555 Main Street  
Williamsville, NY 14221-5406  
Telephone: 716-626-1564

CC:



U.S. UTILITY PATENT APPLICATION  
ATTORNEY DOCKET NO. LVIP:112US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Matter of United States Patent Application:

Applicant(s): Michael Zimmermann et al. Examiner: N/A

Application No.: 10/709,871 Art Unit: 3724

Filed: June 2, 2004

Customer No.: 24041

Confirmation No.: 3870

For: CUTTING APPARATUS AND  
METHOD FOR PRESETTING A  
CUTTING APPARATUS

**Certificate of Mailing by First Class Mail**  
I certify that this Information Disclosure Statement is being deposited on October 29, 2004 with sufficient postage with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

S. Peter Konzel, Esq.  
Regis. No. 53,152

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Honorable Sir:

This Information Disclosure Statement is submitted in compliance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98.

Record is attached of published art for consideration during prosecution of the above-identified patent application. No representation is made or intended that a search has been made or, if made, was complete, or that no more pertinent art than that listed is available. It is expected that the Patent and Trademark Office will conduct an independent search for relevant prior art.

Unless otherwise indicated, or unless references cited are U.S. patents or patent

application publications, a full text copy of the entire reference of published art is attached. Where specifically indicated, an equivalent English language patent or publication is attached in lieu of the translation.

An English language abstract is attached to DE 35 09 395 C1, DE 40 12 600, and DE 41 11 689 A1 to provide a concise explanation as to the relevancy of each reference.

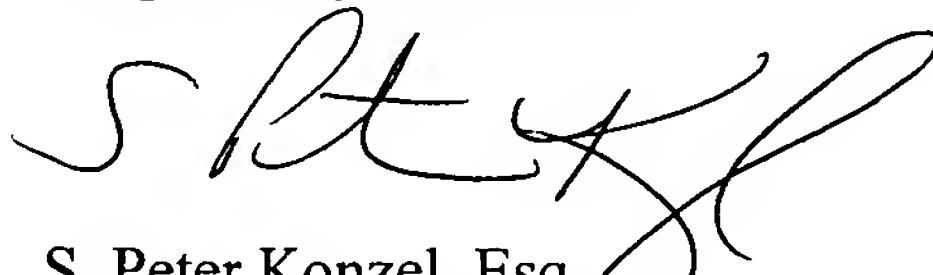
Also, according to 1.98(a)(3)(i), a concise explanation is listed below, as it is presently understood, of each foreign patent document not in the English language.

German Patent 1 115 472, mentioned in the German Examination Report, shows a viewing device for microtomes wherein microscope is mounted on a carrier. The carrier can be tilted or pivoted around a horizontal axis. The viewed object is positioned in the intersection of the horizontal axis and the optical axis of the microscope.

German Patent 1 739 235, mentioned in the German Examination Report, discloses an ultramicrotome which comprises a viewing device which is a stereromicroscope and an illumination device for illuminating a sample to be cut. The illumination device is arranged such that the light reflected from the surface of the collecting device is reflected to the viewing device.

In accordance with the Patent and Trademark Office Notice of August 15, 1980, also enclosed is a completed Form PTO-A820 (Form PTO-1449).

Respectfully submitted,

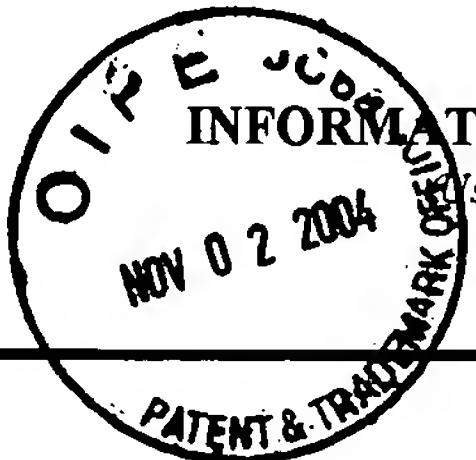


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Dated: October 29, 2004

SPK/LAC

Enclosures (10)



## **INFORMATION DISCLOSURE CITATION**

(use several sheets if necessary)

**Docket Number (Optional)**

LVIP:112US

**Application Number**

10/709,871

**Applicant(s)**

Michael Zimmermann

**Filing Date**

06/02/2004

Group Art Unit

3724

## U.S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	1 739 235	02/07/1957	DE				
	1 115 472	10/19/1961	DE				
	2 042 704	09/24/1980	GB				
	35 09 395	10/02/1986	DE				
	40 12 600	11/29/1990	DE				

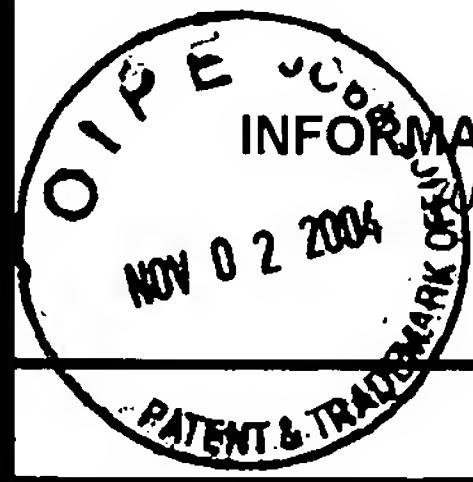
**OTHER DOCUMENTS**    *(Including Author, Title, Date, Pertinent Pages, Etc.)*

- RMC Products Boeckeler Instruments, Ultramicrotomes RMC, August, 1997, Tucson, Arizona, US
  - Leica Mikrosysteme GmbH, Reichert Ultracut S / FC S, Ultramikrotom und Tieftemperatur-Schneidesystem, Ultramicrotome and Deep Temperature Cutting, System, pp 4-5, June, 1991, Vienna, Austria
  - Leica Mikrosysteme GmbH, Reichert Supernova (Ultramicrotome), November 1990, Vienna, Austria
  - Leica Mikrosysteme GmbH, Leica UCT, The Flagship of Ultramicrotomy, October, 2001, Vienna, Austria

**EXAMINER**

**DATE CONSIDERED**

**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



# **INFORMATION DISCLOSURE CITATION**

(Use several sheets if necessary)

NOV 02 2004

**ATTY DOCKET NO.**

LVIP:112US

SERIAL NO.

10/709,871

**APPLICANT(S)**

**Applicants:** Michael Zimmermann, et al.

**FILING DATE**

06/02/2004

**GROUP**

3724

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